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**Note Verbal No. 252**

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to submit its response to communication AL GBR 9 2025, further to the letter dated 30 June 2025 from the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Independent expert on the promotion of a democratic and equitable international order and the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967.

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 2 September 2025

Special Procedures Branch  
Office of the High Commissioner for Human Rights



UK Mission  
Geneva

## United Kingdom of Great Britain and Northern Ireland

### **Response to Special Procedure communications AL GBR 9/2025 of 30 June 2025 sent by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Independent expert on the promotion of a democratic and equitable international order; and the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967.**

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Thank you for your letter of 30 June 2025 regarding the proscription of Palestine Action under section 3 of the Terrorism Act (TACT) 2000. We appreciate the opportunity to respond to the concerns raised by the Special Rapporteurs and Independent Expert.

#### **1. Please provide any additional information and/or comment(s) you may have on the allegations**

The UK Government remains firmly committed to upholding the rule of law, democratic values, and the protection of fundamental rights and freedoms, including those detailed in the International Covenant on Civil and Political Rights (ICCPR).

The first duty of any Government is to protect its citizens, including from the enduring and evolving threat from terrorism. To counter this threat, the UK has a comprehensive counter-terrorism (CT) legislative framework, which strikes the right balance between protecting national security and individual freedoms, including the right to freedom of expression under Article 10 European Convention on Human Rights (ECHR) and Article 19 of the ICCPR.

The UK Government is confident that its domestic legislation dealing with CT matters is compliant with the UK's international obligations. Since the Human Rights Act 1998 came into force, all CT legislation has been introduced with a statement of compatibility under section 19 of the Human Rights Act 1998, and public authorities are required to act in accordance with the European Convention on Human Rights (ECHR) under section 6 of the Human Rights Act 1998.

As detailed in our [response](#) to your previous correspondence – [GBR 15/2024](#), the UK's CT legislative framework is subject to rigorous independent scrutiny, including by Parliament, the judiciary, and the Independent Reviewer of Terrorism Legislation (IRTL).

**2. Please confirm that Palestine Action will not be proscribed under the Terrorism Act 2000. Alternatively, please indicate how proscription and the consequential criminal liabilities would be consistent with the UK's international obligations under articles 19, 21, 22 and 25 of the ICCPR**

The UK's definition of terrorism is detailed in section 1 of TACT 2000<sup>1</sup>. The UK notes the concerns you have raised in relation to the breadth of the definition. However, this definition is designed to be flexible enough to mitigate the evolving threat from terrorism and to counter it in all its forms. The definition has been upheld by UK courts<sup>2</sup> and we are confident that it is compliant with the UK's obligations under international law, including Article 19(3) of the ICCPR.

In his Annual Report from 2019<sup>3</sup>, for example, the IRTL observed in relation to the police and Crown Prosecutions Service's use of CT powers: "I detect no rush to overclassify behaviour as terrorism, and a proper sensitivity that self-restraint is a virtue".

The UK Government notes your reference to the Security Council resolution 1566 (2004) – we can confirm that the UK Government did vote to adopt this resolution in 2004. We disagree that in adopting this resolution we are limited in how we define terrorism in our domestic laws. Indeed, the UK agreed to the resolution several years after the UK's definition of terrorism was introduced by TACT 2000. This resolution sets a minimum standard across likeminded member states, but does not impose a binding statutory definition of terrorism which all signatories must adopt. Most recently, the current Independent Reviewer – Jonathan Hall KC, agreed with this position, sharing his view that Security Council resolution 1566 should not be read as a limitation on a state's definition of terrorism.

An independent report by Lord Carlile KC, the then IRTL, was published in March 2007<sup>4</sup> - after the Security Council resolution came into force - reviewing the UK's definition of terrorism. Lord Carlile KC, having reviewed other definitions of terrorism from other UN member states, highlighted that the UK's definition of terrorism "is consistent with international comparators and treaties, and is useful and broadly fit for purpose".

The power to proscribe terrorist organisations under section 3 of TACT 2000 is a key component of the UK's CT toolkit. The Government must believe that the organisation meets the statutory test in section 3. The test in section 3 of TACT 2000 requires that the Secretary of State believes that an organisation is concerned in terrorism. The Secretary of State's belief must be reasonable and they have discretion whether to proscribe, which must be exercised in accordance with the principles of public law, including that it is proportionate to proscribe the organisation. An organisation may be concerned in terrorism if it commits or

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2000/11/section/1>

<sup>2</sup> For example, *R v. Gul* [2014] AC 1260, where the Supreme Court highlighted that there are good reasons for the breadth of the definition in section 1 TACT 2000 and that it was not incompatible with international law, given there is no accepted norm in international law as to what constitutes terrorism.

<sup>3</sup> <https://www.gov.uk/government/publications/the-terrorism-acts-in-2019>

<sup>4</sup> <https://www.gov.uk/government/publications/the-definition-of-terrorism-a-report-by-lord-carlile-of-berriew>

participates in terrorism, prepares for terrorism, promotes or encourages terrorism, or is otherwise concerned in terrorism.

As noted by the current IRTL<sup>5</sup>, decisions on whether to proscribe an organisation are subject to ‘thorough, well-informed and careful’ scrutiny. Importantly, proscription makes no moral judgement about a group’s ideology. As the IRTL also commented publicly in response to the proscription decision, the strength of the UK’s terrorism legislation has been threat neutrality. This is a point emphasised in *R v F* [2007], where the Court of Appeal highlighted that the definition in section 1 TACT 2000 does not differentiate on the basis of ‘just causes’, highlighting that “terrorism is terrorism, whatever the motives of the perpetrators”<sup>6</sup>. This ensures that the use of CT powers, such as proscription, does not rely on the nature of an individual or organisation’s cause.

The decision to proscribe Palestine Action was based on strong security advice and the unanimous recommendation by the expert cross-government Proscription Review Group.

Palestine Action’s activities have met the thresholds established in the Terrorism Act 2000. The organisation has conducted an escalating campaign involving not just sustained criminal damage, including to Britain’s national security infrastructure, but also intimidation and, more recently, alleged violence, including the use of weapons resulting in serious injuries to individuals. That kind of activity puts the safety and security of the public at risk.

Palestine Action has claimed responsibility for attacks which have seen those allegedly involved charged with criminal damage, violent disorder, aggravated burglary, grievous bodily harm with intent, and actual bodily harm. The gravity of these incidents is demonstrated by the Crown Prosecution Service’s independent decision to submit to the court that the offences allegedly committed by individuals in certain attacks had a terrorism connection.

The extent of damage across three attacks at Thales in Glasgow in 2022 and at Instro Precision in Kent and Elbit Systems in Bristol in 2024 alone runs into the millions of pounds. In the Sheriff’s sentencing remarks concerning the attack in Glasgow, it was noted that “throwing pyrotechnics into areas where people are being evacuated could hardly be described as non-violent”. The Sheriff further recorded the extent of damage to legitimate business activities which included “matters of national security”.

Proscription criminalises specific conduct related to membership, inviting and expressing support for a proscribed organisation, including arranging meetings, and the wearing or displaying in public of articles which would arouse reasonable suspicion the individual is a member or supporter of a proscribed organisation. Prosecution of these offences is subject to the well-established tests in the Code for Crown Prosecutors<sup>7</sup>, which are implemented by the Crown Prosecution Service who are independent of the Government, with similar arrangements in Scotland and Northern Ireland. In addition, any prosecution must be

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<sup>5</sup> <https://www.gov.uk/government/publications/the-terrorism-acts-in-2022> [Paragraph 3.16]

<sup>6</sup> *R v. F* [2007] 2 All ER 193

<sup>7</sup> [The Code for Crown Prosecutors | The Crown Prosecution Service](#)

compatible with the Human Rights Act 1998. It is not, however, an offence to simply criticise the Government's decision to proscribe Palestine Action.

The Government notes the concerns raised regarding the potential impact of proscription on freedom of expression, association, and assembly. These rights are protected under UK law and international human rights instruments. Over the last 18 months, hundreds of thousands of people have joined pro-Palestinian protests, with a very small minority arrested for breaking the law. These protests have been facilitated by police forces across the country. Anyone who wants to protest against the catastrophic humanitarian situation or to oppose Israel's military offensive, or to criticise the actions of any and every government, including the UK Government, has the freedom to do so. The recent proscription of the group Palestine Action, a group that has satisfied the relevant tests in the Terrorism Act 2000, does not prevent those protests. Palestine Action's proscription is not about protest or the Palestinian cause. In a democracy, lawful protest is a fundamental right but violent criminality is not. That is why it is so important and urgent that no-one should let the urgent and desperate calls for peace in the Middle East be diverted into support for one narrow group involved in destruction and violence here in Britain.

As you will be aware, the High Court recently confirmed the continuation of the proscription order against Palestine Action in line with its previous judgement<sup>8</sup>, while allowing permission for a further hearing under the normal judicial review procedures. It would not be appropriate to comment further publicly at this time in advance of the judicial review and while several of Palestine Action's attacks also remain subject to criminal proceedings.

**3. Please explain whether the definition of terrorism in UK law will be amended to exclude mere property damage, without danger to life, as constituting terrorism**

In relation to your question about whether the definition will be amended to exclude property damage. The UK Government has no current plans to make such an amendment. The inclusion of the word 'serious' within subsection (2)(b) of section 1 TACT 2000 is an important restriction— the activity must meet a level of severity which distinguishes it from property damage which has minimal impact.

**4. Please indicate whether the definition will be amended to exclude acts of advocacy, protest, dissent or industrial action in a democratic society where they are not intended to cause death or serious injury with a terrorist purpose**

In relation to your question about whether the definition will be amended to exclude acts of advocacy, protest, dissent, or industrial action where they are not intended to cause death or serious injury with a terrorist purpose, the UK Government has no current plans for such amendments. Under the UK's definition the use or threat of violence or damage to property must meet a certain level of severity to fall within the meaning of the definition. Subsections (1)(b) and (c) of section 1 TACT 2000 also ensure that actions can only be considered as

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<sup>8</sup> <https://www.judiciary.uk/wp-content/uploads/2025/07/Ammori-v-SSHD-Approved-Judgment-300725.pdf>

terrorist in nature if the use or threat of action is designed to have a certain impact<sup>9</sup> and is carried out for the purpose of advancing a cause, such as a political or religious cause. It is not accurate to suggest that acts of advocacy or protest where there is no terrorist purpose as subsections (1)(b) and (c) require, for example, could be considered as terrorism. The UK has a proud and active tradition of protest and dissent, which must be protected, and the UK's terrorism legislation does not infringe on legitimate protest.

## **Conclusion**

The UK Government values the role of the Special Procedures in promoting and protecting human rights. We remain committed to engaging constructively with the UN system and to ensuring that our CT framework is consistent with our international obligations.

The proscription of Palestine Action does not and will not serve to limit free speech in the UK. Those who want to show support for action in favour of Palestinian causes are free to do so. Palestine Action, however, has satisfied the relevant tests in the Terrorism Act 2000. Decisions on whether to proscribe an organisation are not taken lightly and only after careful consideration.

We hope this response clarifies the UK's position and provides assurance of our commitment to the rule of law, democratic accountability, and the protection of fundamental rights.

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<sup>9</sup> Specifically, with the exception of action involving firearms or explosives, the use or threat of action must be designed to influence the government or an international governmental organisation, or to intimidate the public or a section of the public.